

**MICHAEL HARTLEIB**  
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**FILED VIA ECFS**

July 3, 2007

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

**Re: Notice of *Ex Parte* Presentation; Consolidated Application for Authority  
to  
Transfer Control of XM Radio Inc. and Sirius Satellite Radio Inc.  
MB Docket No. 07-57**

Dear Ms. Dortch:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206,  
and the Commission's Public Notice dated March 29, 2007 (DA 07-1435), this  
letter notifies the Commission that at 8:45 am PST on July 3, 2007,  
Petitioner Michael Hartleib, on his behalf and on behalf of satellite radio  
consumers, had a conference call  
with Susan McNeil, Deputy Bureau Chief of the FCC Enforcement Bureau.

Discussions included:

- The role of the Enforcement Bureau and its current review of the  
Petition for Declaratory Ruling regarding the Interoperable Mandate.
- The Petitioner's concerns that, without clarification of the current  
receivers' capabilities, the public is being asked to comment on a  
transaction which will have great impact on consumers for many years  
to come.

- Whether or not companies are in compliance with the FCC's Interoperable Mandate, and if so, how. It is the Petitioner's belief that the outcome of the Petition for Declaratory Ruling should be known prior to the solicitation of public comments.
  
- The Petitioner's opinion that the FCC must approve the pending merger as the current situation is not consumer friendly.
- The Petitioner's support of the pending merger.

Sincerely,

Michael Hartleib

CC via e-mail to:

Susan McNeil